Minutes of the

City Commission for the City of Traverse City

Special Meeting

April 13, 2016

A special meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 1:00 p.m.

Mayor Jim Carruthers, Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Jim Carruthers presided at the meeting.

Topic of Discussion:

1.

Consideration of entering into closed session regarding an attorney-client communication in connection with *Northern Michigan Environmental Action Council* v. *City of Traverse City (*the Pine Street Special Land Use Permit); and consideration of possible action in connection with this matter.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Shamroe, seconded by Howe, that the City Commission enter into closed session to discuss an Attorney-Client Privileged communication in connection with Case No. 15-31341-AA regarding Northern Michigan Environmental Action Council v. City of Traverse City (the Pine Street Special Land Use Permit matter), as authorized by MCL 15.268(h).

Lauren Trible-Laucht, City Attorney
David Petrove, 9988 Riley Road, Interlochen, Northern Michigan
Environmental Action Council
Mike Jackson, 217 Sixth Street
Patty Olson, 1815 Wayne
Rick Buckhatler, 932 Kelley Street
Tony Lentych, Traverse City Housing Commission Executive Director, 708 Highland Park Drive
Ann Rogers, 1236 Peninsula Drive
Patricia Townsend, 150 Pine Street, Apartment 704
Kent Anderson, 129 South Garfield
Grant Parsons, 6936 Mission Ridge, Peninsula Township, City business owner
Tom Mair, 612 Fifth Street

Roll Call:

Yes   -   Haas, Howe, Lewis, Shamroe, Werner.

No   -   Richardson, Carruthers.

CARRIED.

The City Commission entered into closed session at 1:30 p.m.

The City Commission returned to open session at 3:16 p.m.

Moved by Lewis, seconded by Howe, that the attorney-client communication received today be released.

CARRIED unanimously.

Moved by Lewis, seconded by Richardson, that the City Commission elects to take no action regarding the decision of the Circuit Court action in connection with this matter.

Roll Call:

Yes   -   Lewis, Richardson, Carruthers.

No   -   Haas, Howe, Shamroe, Werner.

FAILED.

Kent Anderson, 129 South Garfield
Tony Lentych, Traverse City Housing Commission Executive Director, 708
Highland Park Drive

Moved by Richardson that the City Commission adjourn.

Due to the lack of a second, the motion did not come before the City
Commission.

Moved by Werner, seconded by Howe, that the City Commission authorizes
that Eric Williams be retained for the purposes of filing an appeal to the Michigan
Court of Appeals in NMEAC v. Traverse City, Grand Traverse County Circuit Court
in Case No. 15-031341-AA for an initial amount of $10,000; and that the Mayor and
City Clerk be authorized to execute an associated agreement subject to approval as
to its form by the City Attorney and its substance by the City Manager.

Dave Petrove, 9988 Riley Road, Interlochen, Northern Michigan
Environmental Action Counsel
Pricilla Townsend, 150 Pine Street, Apartment 704
Judy Nelson, 429 Garfield

Roll Call:

Yes   -   Haas, Howe, Shamroe, Werner.

No   -   Lewis, Richardson, Carruthers.

FAILED.   (5 votes required)

Moved by Lewis, seconded by Howe, that the City Commission adjourn.

Roll Call:

Yes   -   Richardson, Carruthers.

No   -   Haas, Howe, Lewis, Shamroe, Werner.

FAILED.

Lauren Trible-Laucht, City Attorney
Benjamin Marentette, City Clerk

It was the consensus of the full City Commission that the City Attorney not pursue an appeal in connection with this matter.

Moved by Richardson, seconded by Shamroe, to adjourn.

CARRIED unanimously.

The City Commission meeting adjourned at 3:59 p.m.

_____
Benjamin C Marentette, MMC
City Clerk

Approved: _____, _____
       (Date)   (Initials)